

PLAINTIFF'S MOTION FOR  
CONDITIONAL CLASS CERTIFICATION,

Exhibit 1: Defendant's March 26, 2012, Memo: Exempt to non-exempt

Exhibit 2: Plaintiff's declaration

Exhibit 3: Plaintiff's timesheets prior to and subsequent to change in FLSA classification

Exhibit 4: Defendant's Response to Plaintiff's Request for Production No. 1

Exhibit 5: Defendant's HR Policy: field specialists, field supervisors, field operators

Exhibit 6: Defendant's HR overtime policy 12/25/11

Exhibit 7: Defendant's HR overtime policy 2/1/13

**PLAINTIFF'S MOTION FOR  
CONDITIONAL CLASS CERTIFICATION**

**EXHIBIT 1**

**DEFENDANT'S MARCH 26, 2012, MEMO  
EXEMPT TO NON-EXEMPT**



Date: March 26, 2012

Name: ROSENDO ZAMORA

SAP Number: 180659

Personnel Area: US-TX -CORPUS-SHORELINE 1030

Manager: TIM BEYER

The purpose of this letter is to inform you that Baker Hughes is introducing a new compensation program for Field Specialists I & II – FLD, Field Operators – FES, and Field Supervisors I & II-FES. You will be guaranteed to receive pay for at least 40 hours each workweek regardless of the actual number of hours worked in accordance with the 40 Hour Guarantee Guidelines. In order to be eligible for the 40 hour guarantee you must be ready and available for work that week. If you work more than 40 hours in a work week, you will receive Overtime Pay for those hours at a rate of 1.5 times the hourly rate.

Due to your eligibility for overtime pay, you will no longer receive additional variable pay that is typically referred to as a Day Rate or Job Bonus. The changes to your total compensation package will be effective April 15, 2012.

Your total compensation will be monitored throughout 2012 following the implementation of the new compensation program and any deficit greater than half a percent (0.5%) in annualized total compensation will be identified and corrected in the form of a one-time lump sum payment to be paid in February 2013.

Going forward you will be asked to track all hours worked by completing a timesheet every two weeks.

Details of your new compensation program:

Current Annualized Salary: \$44,117.00

New Hourly Rate: \$19.10

New Overtime Rate: \$28.65

Your new hourly rate was established with the intention of keeping your total compensation competitive in the marketplace. Please note that because overtime hours may vary each workweek, there may be fluctuations in the amount of take home pay you receive each pay period.

We thank you for your commitment to Baker Hughes. If you have questions, please contact your manager or your local HR Representative.

Ex 1

BH 00421

**PLAINTIFF'S MOTION FOR  
CONDITIONAL CLASS CERTIFICATION**

**EXHIBIT 2**

**PLAINTIFF'S DECLARATION**

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

ROSENDO ZAMORA, ET AL.	§	
	§	
	§	
v.	§	CIVIL ACTION NO. 2:13-CV-00326
	§	
	§	
BAKER HUGHES INCORPORATED	§	

DECLARATION OF RANDY ZAMORA

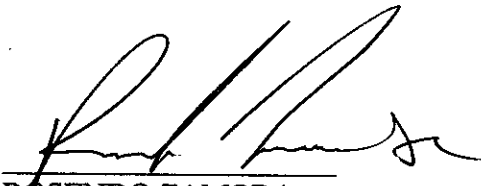
My name is Randy Zamora. I am over 21 years of age, never been convicted of a felony, and fully competent to make this declaration. I have personal knowledge of the facts stated herein and state that the facts are true and correct under the penalty of perjury.

1. I am the plaintiff in the above captioned case.
2. I began working for Baker Hughes in February of 2012, as a Field Service Employee called a Field Operator and also known as a sit hand working with closed loop equipment. My employment with them ended in about June of 2013.
3. I worked in the Texas Division with an office located in Corpus Christi, Texas. I know of offices that Baker had in Oklahoma.
4. I worked as a field service Employee called a Field Operator and known as a 'Sit hands'. My job was to install, operate, maintain, and rig down Defendants' products and equipment. The equipment filtered cuttings, rocks and solid materials from drilling fluids while the oil rig was operating.
5. My job duties never changed while I was employed by Baker Hughes.

6. I was paid a salary and day bonus for days that I worked on jobs when I first started in February of 2012. I worked over 40 hours per week while I was paid a salary and bonus and was not paid an hourly overtime rate.
7. In April of 2012, Baker Hughes changed me to hourly, told me I was eligible to receive overtime and I was paid an hourly overtime rate of 1.5 times my regular rate.
8. I worked overtime nearly every week I was employed by Baker Hughes.

Pursuant to 28 U.S.C. Sec. 1746, I declare under the penalty of perjury that the foregoing is true and correct.

Executed on 06-19-2014

  
\_\_\_\_\_  
ROSENDO ZAMORA

**PLAINTIFF'S MOTION FOR  
CONDITIONAL CLASS CERTIFICATION**

**EXHIBIT 3**

**PLAINTIFF'S TIMESHEETS  
PRIOR TO AND SUBSEQUENT TO RECLASSIFICATION**



Per No. 00180659  
ROSENDO ZAMORA

Pay Period: 04/01/2012 - 04/14/2012 Cost Ctr: 120118524  
Rem Vac Hrs: V91: 0.00000 V51: 73.00000 V52: 0.00000

FARNINGS DESCRIPTION	HRS	RATE	GROSS	DEDUCTION DESCRIPTION	CURRENT AMT	YEAR TO DATE
FIELDSTV	0.00	0.00	1,040.00	OASDI EE	112.04	278.54
REGULAR	0.00	0.00	1,696.81	Medicare	38.68	96.16
Life>50K	0.00	0.00	0.18	W/H EE FED	507.03	1,106.35
				Thrift-AT	136.84	306.52
				LglGuard	6.94	20.82
				SUP LIFE	4.70	14.10
				MED/VIS	63.00	189.00
				Dental	3.00	9.00
				LTD	3.26	9.78
				Vol AD&D	2.63	7.89
*Current Gross			2,736.99	*Total Deductions		878.12
*Federal Taxable Gross YTD			6,631.98	Bank Transfer		1,858.69
*Total Gross YTD			6,839.76			

SALARY + DAY RATE

Ex 3-1

BH 00081

Per No. 00180659  
ROSENDO ZAMORA

Pay Period: 04/29/2012 - 05/12/2012 Cost Ctr: 120118524  
Rem Vac Hrs: V91: 0.00000 V51: 73.00000 V52: 0.00000

EARNINGS	DESCRIPTION	HRS	RATE	GROSS	DEDUCTION	DESCRIPTION	CURRENT AMT	YEAR TO DATE
HRLY RTE		0.00	19.10	0.00	OASDI EE		117.83	665.90
GUAR		3.00	19.10	57.30	MedcarEE		40.68	229.89
Life>50K		0.00	0.00	0.18	W/H EE FED		541.46	3,179.03
REGULAR		77.00	19.10	1,470.70	Thrift-AT		143.73	774.56
OVERTIME		47.00	28.65	1,346.55	LglGuard		6.94	34.70
					SUP LIFE		4.70	23.50
					MED/VIS		63.00	315.00
					Dental		3.00	15.00
					LTD		3.26	16.30
					Vol AD&D		2.63	13.15
*Current Gross				2,874.73	*Total Deductions			927.23
*Federal Taxable Gross YTD				15,854.65	Bank Transfer			1,947.32
*Total Gross YTD				16,200.95				

Hourly

Ex 3-2

BH 00083

PLAINTIFF'S MOTION FOR  
CONDITIONAL CLASS CERTIFICATION

EXHIBIT 4

DEFENDANT'S ANSWER TO REQUEST FOR PRODUCTION 12

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

ROSENDO ZAMORA,	§	
	§	
Plaintiff,	§	Civil Action No. 2:13-cv-00326
	§	
vs.	§	
	§	
BAKER HUGHES INCORPORATED,	§	
	§	
Defendant.	§	

**DEFENDANT'S RESPONSES TO PLAINTIFF'S  
FIRST REQUEST FOR PRODUCTION**

To: Plaintiff, by and through his attorneys of record, Adam Poncio, Poncio Law Offices, 5410 Fredericksburg Rd., Suite 109, San Antonio, Texas 78229-3550 and Chris McJunkin, 2842 Lawnview, Corpus Christi, Texas 78404

COMES NOW, Defendant Baker Hughes Oilfield Operations, Inc. (misidentified as "Baker Hughes Incorporated") ("Defendant") and pursuant to the Federal Rules of Civil Procedure, submits the following Objections and Responses to Plaintiff Rosendo Zamora's ("Plaintiff") First Requests for Production.

Respectfully submitted,



MICHAEL J. MUSKAT  
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Ex 4-1

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**CERTIFICATE OF SERVICE**

This is to certify that on March 10, 2014, a true and correct copy of the foregoing document has been served on Plaintiff's counsel of record via U.S. mail.

  
ATTORNEY FOR DEFENDANT

**REQUEST FOR PRODUCTION NO. 12:**

For the time period January 1, 2008, to ~~present~~, produce a copy of all Employee Handbooks, including revised or amended Employee Handbooks that existed for each Defendant and that would apply to Plaintiff.

RESPONSE: Defendant did not maintain an Employee Handbook applicable to Plaintiff. See time and pay policies applicable to Plaintiff, marked as BH 00184 – BH 00414.

**REQUEST FOR PRODUCTION NO. 13:**

Produce a copy of all documents setting out the work schedule, time schedule, overtime schedule and/or overtime limitations or guidelines of an employee and/or for Plaintiff or person in Plaintiff's position.

RESPONSE: See produced documents, including Plaintiff's personnel file and time and pay policies applicable to Plaintiff, marked as BH 00002 – BH 00076 and BH 00343 – BH 00354. Additional documents will be produced following the entry of a confidentiality agreement and agreed protective order. If additional responsive documents are discovered in the future, Defendant will supplement in accordance with the Federal Rules of Civil Procedure.

**REQUEST FOR PRODUCTION NO. 14:**

Produce a copy of all documents and/or ESI setting out the work schedule, time schedule, overtime schedule and/or overtime limitations or guidelines of a employee in Plaintiff's position and/or for Plaintiff during the time period of January 1, 2008 to the present.

RESPONSE: See documents produced in response to Request No. 13.

**REQUEST FOR PRODUCTION NO. 15:**

Produce a copy of all documents and/or ESI that reflect or refer to which individual(s) was/were responsible for compensating Plaintiff, and/or who made decisions regarding Plaintiff's compensation, and the amounts paid to him/her and the time for which he was paid.

RESPONSE: Defendant objects that this Request is overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects that the Request is vague, confusing, and not stated with reasonable particularity with respect to

**PLAINTIFF'S MOTION FOR  
CONDITIONAL CLASS CERTIFICATION**

**EXHIBIT 5**

**DEFENDANT'S HR POLICY  
FIELD SPECIALISTS, FIELD SUPERVISORS, FIELD OPERATORS**

	<b>HUMAN RESOURCES POLICY</b>
	<b>UNITED STATES US REGION Time Entry for Field Specialists, Field Supervisors and Field Operators</b>

ORIGINAL ISSUE DATE: 27-October-2013  
REVISED DATE:  
VERSION: 1

APPROVED BY: Dale Kunneman, VP Human Resources,  
Western Hemisphere  
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#### PURPOSE

To provide consistent expectations for field employees to report working and non-working time.

#### SCOPE

This policy applies to all of the US Region inclusive of Alaska, US Land, Gulf of Mexico, and Pressure Pumping employees.

The scope includes non-exempt/hourly paid field employees, including domestic rotators, identified within the Field Operator or Field Specialist job family found in the Baker Hughes job capsules. These employees regularly work or visit land and offshore customer sites.

#### DEFINITIONS

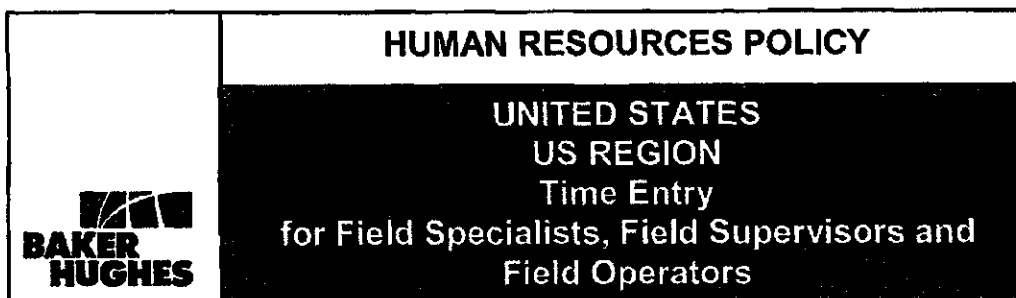
- **Active Duty or Active Standby:** The time the employee is required to be physically at the Job Location and is either actively working or is on a scheduled shift ready to engage in work once called upon. During this time, the employee is not permitted to rest, sleep or leave the immediate work area.
- **Inactive Standby:** The time the employee is not physically located on the rig floor and/or Job Location, not engaged in any work activities, and is able to use the time for the employee's own purposes. The employee could be:
  - located at home, a hotel/motel, or other adequate sleeping arrangements or recreational area on or near the Job Location.
  - called back to the Job Location as needed by the customer. If the employee is not at the Job Location, he or she needs to remain close enough so that he or she is able to return to the Job Location within a reasonable amount of time as agreed by the customer and/or the employee's manager.
  - resting, sleeping, or leaving the immediate Job Location to tend to personal matters.
- **Job Location:** The customer site where services are being performed.
- **Land Employee:** An employee who normally works on land-based rigs.
- **Offshore Employee:** An employee who normally works on an offshore platform, rig, barge or vessel.
- **Primary Work Location:** The facility, office, or shop that the employee normally reports to as a home base.

Ex 5

Ex 5

BH 00397





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 REVISED DATE:  
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 Western Hemisphere  
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### POLICY

Baker Hughes Incorporated and its affiliates (collectively the "Company") understand the importance of consistent and accurate time reporting so employees are compensated appropriately for all working hours during the defined standard work week outlined in the U.S. Payroll Practices Policy and in compliance with local laws.

The time an employee is actively engaged in work for the Company at the Primary Work Location, Job Location or any other site must be reported as time worked (*time entry code = 'WORK'*). Activities could include but are not limited to the following:

- Performing regular expected work duties (i.e. loading equipment or preparing for a job/service, running the job/service, or filling out required paperwork, etc.),
- Travelling from the Primary Work Location to the Job location or from Job Location to Job Location,
- Company required meetings,
- Company required training classes or computer-based training,
- Participating in regulatory required, Company required or client required screenings (i.e. random drug/alcohol tests)


Overtime hours will be paid as defined in the U.S. Overtime Policy and in accordance with local law. Overtime hours outside of an employee's expected work schedule require prior management approval. Those overtime hours that do not have prior approval will be paid but are considered unauthorized and the employee may be subject to disciplinary action.

There are circumstances defined below which require the Company to further explain how to appropriately report the time. Click on a link below to review a detail description and corresponding examples:

- [Call-In](#)
- [Meal Breaks](#)
- [Meetings and Training](#)
- [Sleeping/Rest/Personal Time](#)
- [Standby – Active and Inactive](#)
- [Transition Time](#)
- [Travel Time](#)

### PROCEDURE

To ensure employees are paid appropriately for all working and non-working time, employees need to report all hours on their timesheet using the appropriate time entry code. The Appendix section of this policy describes situations when employees are to use the following time entry codes:

	<b>HUMAN RESOURCES POLICY</b>
	<b>UNITED STATES US REGION Time Entry for Field Specialists, Field Supervisors and Field Operators</b>

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- Hours worked – 'WORK'
- Straight time travel pay – 'TRVL'
- Call-in straight time pay – 'CALL'

Employees must use the MyTime system to report all time. The employee's immediate supervisor is responsible for reviewing each timesheet to assure time is accurately reported.

#### **DUTIES OF EMPLOYEES**

Employees must maintain an accurate record of his or her working and non-working hours with the correct reporting codes including all absences from work schedules (e.g. Sick, Vacation, etc.).

If the employee does not have access to enter the appropriate time entry code in the MyTime system, the employee should work with his or her assigned timekeeper to appropriately classify the time on his or her timesheet.

#### **DUTIES OF SUPERVISORS AND MANAGERS**

Managers and supervisors are responsible for being aware of, adhering to, and enforcing the Company's employment policies and procedures.

Managers and Supervisors are expected to monitor and manage overtime hours to the maximum extent possible while still maintaining a good operating environment. Managers and Supervisors are responsible for verifying and approving time reported by the employee in the MyTime system.

Managers and supervisors are expected to partner with Human Resources to ensure compliance with local law should there be questions regarding reportable time or work hours.

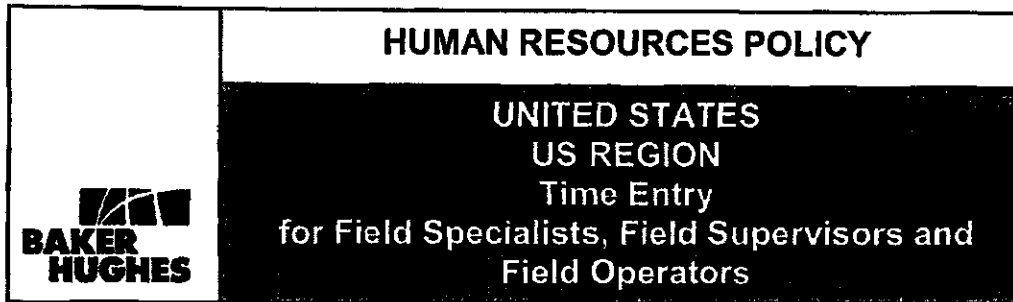
Managers and supervisors are encouraged to periodically communicate expectations regarding this policy to employees to promote general awareness and to outline the time reporting expectations.

#### **CONSEQUENCES**

Falsely reporting working and/or non-working hours to the Company, altering an employee's time record without authorization, or requesting or pressuring an employee to report greater or fewer hours than were actually worked are a serious violations and may warrant termination.

#### **EMPLOYEE COMPLAINT PROCEDURE**

Upon receiving their paystubs, employees should review them to make sure that they are correct. If an employee believes that his or her wages have been subject to any improper deductions, that he or she



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has been instructed to work off the clock, that pay does not accurately reflect hours worked, or that any other violation of this policy has occurred, the employee should report the concerns to Human Resources. Each report will be investigated. If appropriate, corrective action will be taken up to and including discharge of any employee(s) who violate this policy.

The Company prohibits any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the Company's investigation of such reports. Any retaliation in violation of this policy will result in disciplinary action up to and including discharge.

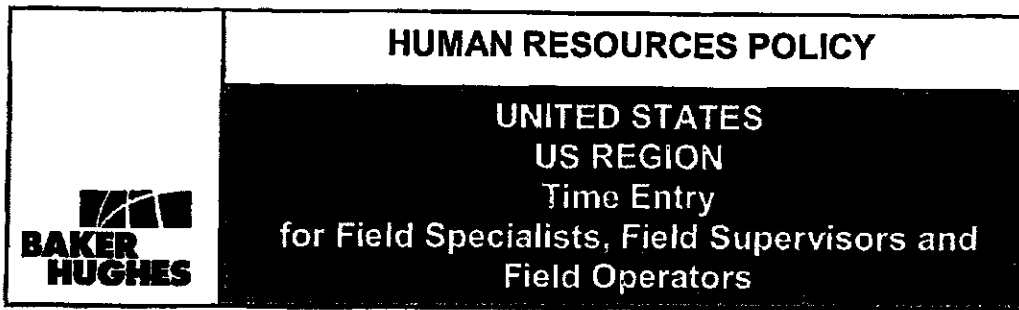
#### **LAWS & REGULATIONS**

This policy is subject to the applicable local laws and regulations. To the extent that this policy conflicts with local laws or regulations, the policy shall, for application within the relevant jurisdiction, be deemed to be amended so as to comply with local laws and regulations.

Questions regarding conflict of laws and this policy should be addressed with the applicable HR Business Partner.

#### **RELATED POLICIES**

- Bereavement/Funeral Leave Policy
- Call-In Pay Policy
- Court Attendance and Civic Duty Policy
- Discipline Policy
- Education Assistance Program
- Holiday Policy
- Overtime Policy
- Payroll Practices Policy
- Professional Certification and License Program
- Time Entry Policy
- Vacation Policy



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#### **APPENDIX A – DESCRIPTIONS**

##### **Call-In**

Call-In hours as defined in the U.S. Call-In Policy must be controlled to the maximum extent possible while still maintaining a good operating environment. Call-In hours require prior management approval and only apply to an employee outside of a regular work schedule or while on 'days off'. Call-in hours must be reported using the time entry code 'CALL'. If an employee is on Active or Inactive Standby, he or she would not be eligible for Call-In pay.

##### **Meal Breaks**

Meal breaks of short duration (less than 30 minutes) or longer as agreed by the employee's manager are reported as hours worked while on Active Duty or Active Standby at the employee's Primary Work Location or on a Job Location. Such breaks should be reported using the time entry code 'WORK'.

Meals eaten during Inactive Standby at the employee's Primary Work Location, Job Location, hotel/motel, home, or other sleeping quarters/recreational area should not be reported as hours worked.

##### **Meetings and Training**

- **Meetings and Computer-based Training**
  - Employees may be required to participate in Company or customer routine/pre-planned meetings such as safety meetings, staff/district meetings, annual performance reviews or quarterly/annual results meetings. This time should be reported using time entry code 'WORK'.
  - Employees will be required from time to time to complete routine computer-based training. Time spent completing the computer-based training should also be reported as time worked. This time should be reported using time entry code 'WORK'.
- **Training Classes**
  - The time which an employee must attend classroom training classes at the Company's request, the employee may report hours worked for training at a minimum of 12 hours per day or actual time worked, whichever is greater. Time spent for study or in preparation for a project/presentation which is required by the instructor or the class curriculum should also be counted as time worked. This time should be reported using time entry code 'WORK'.
  - If a training class is scheduled to be 4 hours or less without required study time, 4 hours should be reported versus reporting a 12 hour minimum.
- **Continuing Education Classes**

**BH 00401**



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- o The time spent pursuing an Undergraduate or Graduate Program described in the Education Assistance Program or to other types of continuing education practices such as those described in the Professional Certification and License Program should not be reported as time worked.

**CLICK TO GO TO EXAMPLES**

**Sleeping/Rest/Personal Time**

The Company strongly encourages adequate sleeping and rest time to be provided to employees while on a Job Location and the Company will provide such time in accordance with local law and regulatory requirements.

If an employee has a planned shift change and is relieved of duty and has adequate sleeping/recreational accommodations (i.e. sleeping quarters, hotel, etc.), the time spent resting and available to pursue personal matters is considered 'off duty'. The employee should not report 'off duty' activities as hours worked.

If an employee does not have a planned shift change while on the Job Location, however the employee does have adequate sleeping/recreational accommodations and has uninterrupted rest for a period no less than 5 hours, then the time the employee is resting and available to pursue personal matters up to a maximum of 8 hours per day should not be reported as hours worked.

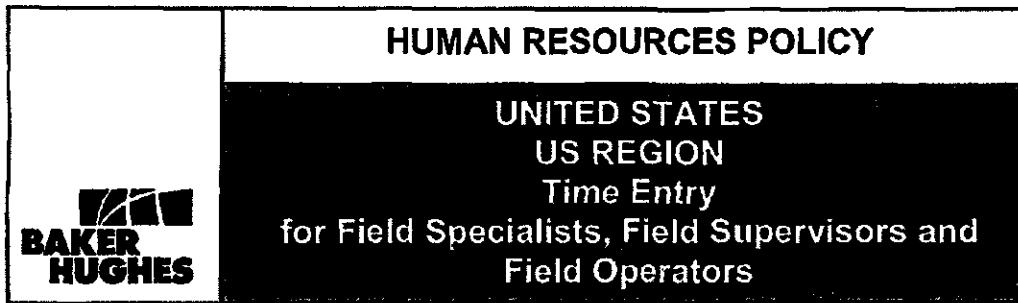
There are times when an employee is unable to predict or schedule consistent sleeping and resting time. When one of the following occurs while on a Job Location, the employee will be paid for all time as time worked including sleeping or rest periods:

- The employee does not have an uninterrupted rest period minimum of 5 hours.
- The employee does not have adequate resting accommodations (e.g. sleeping in a Company or personal vehicle).

**CLICK TO GO TO EXAMPLES**

**Standby – Active and Inactive**

There may be instances during an employee's regular work schedule where he or she may need to remain accessible for work based on customer needs or the status of the services being provided to the customer. Employees could be subject to both Active and Inactive Standby during his or her regular work schedule. Employees should report all Active Standby as hours worked. Employees should not report Inactive Standby as hours worked.



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While on Active or Inactive Standby, the employee must remain fit for duty in accordance to our US Drug and Alcohol Policy. If an employee is not able to work, the employee is responsible for notifying his or her manager. The employee may be subject to disciplinary action if he or she is unable to report to duty while on Active or Inactive Standby.

Employees are not eligible for Call-In pay as defined in the U.S. Call-In Policy while on Active or Inactive Standby.

**CLICK TO GO TO EXAMPLES**

**Transition Time**

This is the time spent at the beginning or end of an employee's work day to transition work to the next shift as he or she arrives to or departs from the Job Location. Transition Time should be reported as time worked.

**Travel Time**


The Company may require employees to travel to locations to perform work during the standard work week. Depending on the type of travel required and when work begins for the employee the Company will determine if:

- the time will count as hours worked and will be counted when determining overtime hours worked, if any,
- the time should not be claimed as hours worked or hours traveled and will not be paid
- or the hours will be paid at a regular straight time rate but does not count as hours worked, i.e. the time will not be counted when determining overtime hours worked, if any

The following travel time should be reported as time worked ("WORK"):

- Travel originating from the Primary Work Location to the Job Location (inclusive of time from the Heliport/Dock out to the Job Location). For example, an employee who is required to meet his or her team at the Primary Work Location to load the truck for a job and then convoy to the Job Location. The time from the Primary Work Location to the Job Location should be claimed as hours worked.
- Travel from Job Location to Job Location.
- Travel from a Primary Work Location or Job Location to another work location at the request of the Company for a special temporary assignment. The time spent traveling to and returning from the work location should be reported as hours worked.
- If the employee conducts principal work activities (e.g. repairs equipment, participates in a safety meeting, etc.) prior to leaving home, then the employee must report the entire travel time as time worked.

BH 00403

	<b>HUMAN RESOURCES POLICY</b>
	<b>UNITED STATES US REGION Time Entry for Field Specialists, Field Supervisors and Field Operators</b>

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- If while in transit to the Job Location the employee stops to perform a work activity (e.g. pick up equipment along the way), then the Company requires the employee to report the difference in hours between the stop and the Job Location/Heliport/Dock as time worked.

The following travel time should not be reported as time worked or time traveled under any circumstances:

- The time traveled by the employee to commute from his or her home to the Primary Work Location within the employee's normal commute area.

The following travel time may be reported as time traveled ('TRVL') or time worked ('WORK') depending on the business requirements approved by the Product Line Vice President:

- In its sole discretion, the Company may allow commute time traveled by the employee from his or her home directly to the Job Location to be recorded as either time traveled ('TRVL') or time worked ('WORK'). This is inclusive of the travel time from the Heliport/Dock to the Job Location.

**[CLICK TO GO TO EXAMPLES](#)**

**BH 00404**

	<b>HUMAN RESOURCES POLICY</b>
	<b>UNITED STATES</b> <b>US REGION</b> <b>Time Entry</b> <b>for Field Specialists, Field Supervisors and</b> <b>Field Operators</b>

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#### **APPENDIX B – TIMESHEET EXAMPLES**

##### **Example 1 - Travel & 4 Day Training Class**


Day	Scenario	Explanation	Reportable Hours & Time Codes
1	Employee works from 6:00 am to 2:00 pm and travels to a hotel during his/her normal work date for training activities to be held the following day. The employee arrives at the hotel at 7:00 pm.	6:00 am to 2:00 pm (8 hrs) time worked + 2:00 pm to 7:00 pm (5hrs) of travel time	13 WORK
2	Employee is in class from 8:00 am to 5:00 pm, one hour is taken off for lunch each day. <u>Does not meet the 12 hour training minimum.</u>	8:00 am to 5:00 pm (8hrs training and 1 hr lunch)	12 WORK
3	Employee is in class from 8:00 am to 5:00 pm, one hour is taken off for lunch each day. <u>Does not meet the 12 hour training minimum.</u>	8:00 am to 5:00 pm (8hrs training and 1 hr lunch)	12 WORK
4	On the fourth day, Employee is in class from 8:00 am to 10:00 am, and then travels back to his location from 10:00 am to 3:00 pm. <u>Does not meet the 12 hour training minimum.</u>	8:00 am to 10:00 am (2hrs) training time + 10:00 am to 3:00 pm (5hrs)	12 WORK
Total Reportable Hours – 49 WORK			

##### **Example 2 - Travel & Active Standby**

Day	Scenario	Calculation	Reportable Hours & Time Code
1	Employee leaves home at 5:30 am and arrives at the Primary Work Location at 6:00 am. Employee then travels 1 hour to the job location and is performing service duties until 12:00 pm. Employee is then put on Active Standby for the rest of the day (12:00 pm – 12:00 am) until 8am the following day.	5:30 to 6:00 not paid since this is commute time from home to work.  Travel time to job location (1 Hr) + work hours on location (5 Hrs) + Active Standby on location (12 Hrs).	18 WORK

BH 00405



	<b>HUMAN RESOURCES POLICY</b>
	<b>UNITED STATES</b> <b>US REGION</b> <b>Time Entry</b> <b>for Field Specialists, Field Supervisors and</b> <b>Field Operators</b>

ORIGINAL ISSUE DATE: 27-October-2013  
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2	Employee is on Active Standby from 12:00 am until 8am. Employee works from 6:00 am until 8:00 pm and then goes on Active Standby for the rest of the day available to work at a moment's notice (8:00pm- 12:00 am). Employee remains on Active Standby until 8am the following day.	Midnight to 6:00 am (6 Hrs) of Active Standby + 14 work hours + Active Standby from 8:00 pm until midnight (4 Hrs).	24 WORK
3	Employee is on Active Standby from 12:00 am until 8am. Employee begins performing services at 8:00 am and is released from location at 12:00 pm. Employee travels 1 hr back to shop and spends 2 hours cleaning equipment before going home at 3:00 pm.	Active Standby on location from midnight to 8:00 am (8 Hrs) + 4 hrs worked from 8:00 am until 12 noon (4 Hrs) + travel time (1 hr) + 2 hrs work time at the shop (2 Hrs).  Employee is not paid for commute time from the shop to his or her home.	15 WORK
Total Reportable Hours – 57 WORK			

**Example 3 – Travel, Inactive Standby & Active Standby**

Day	Scenario	Explanation	Reportable Hours
1	Employee leaves home at 5:30 am and arrives at the Primary Work Location at 6:00 am. Employee then travels 1 hour to the job location and is performing service duties until 12:00 pm. Employee is then put on <u>Inactive Standby</u> and goes home. (12:00 pm – 12:00 am) until 6am the following day.	5:30 to 6:00 not paid since this is commute time from home to work.  Travel time to job location (1 Hr) + work time on location (5 Hrs) + for inactive standby (0 Hrs).	6 WORK
2	Employee is on <u>inactive standby</u> from midnight until 5am. Employee then travels 1 hour to the job location. Employee works from 6:00 am until 8:00 pm and then goes on <u>Active Standby</u> for the rest of the day (8:00 pm- 12:00am). Employee remains on Active Standby until 8am the following day.	Midnight until 6:00 am (inactive standby) (0 Hrs) + travel time to job location (1 Hr) + 14 work hours + active standby from 8:00 pm until midnight (4 Hrs).	19 WORK

BH 00406

	<b>HUMAN RESOURCES POLICY</b>
	<b>UNITED STATES</b> <b>US REGION</b> <b>Time Entry</b> <b>for Field Specialists, Field Supervisors and</b> <b>Field Operators</b>

ORIGINAL ISSUE DATE: 27-October-2013  
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3	Employee is on <u>Active Standby</u> from midnight until 8am. Employee begins performing services at 8:00 am and is released from location at 12:00 pm. Employee travels back to shop (1 hr) and spends 2 hours cleaning equipment before going home at 3:00 pm.	Active standby on location from midnight until 8:00 am (8 Hrs) + work hours from 8:00 am until departing shop at 3:00 pm (7 Hrs).  Employee is not paid for commute time from the shop to his or her home.	15 WORK
Total Reportable Hours – 40 WORK			

**Example 4 – Travel, Sleeping/Rest/Personal & Inactive Standby**

Day	Scenario	Explanation	Reportable Hours
1	Employee leaves home at 5:30 am and arrives at the shop at 6:00 am. He then travels 1 hour to the dock and is performing service duties until 7:00 pm. He is then put on <u>inactive standby</u> for the rest of the day and leaves the rig floor to the sleeping quarters/recreational area. Employee is off duty until 6am the following day.	5:30 to 6:00 not paid since this is commute time from home to work.  Travel time to dock (1 Hr) + Work time on location (12 hrs).  Inactive standby time for the rest of the day – the employee was permitted to leave the immediate work area/rig floor.	13 WORK
2	Employee works from 6:00 am until 8:00 pm and then goes on <u>inactive standby</u> for the rest of the day.	Midnight until 6:00 am (0 Hrs) + 14 work hours + inactive standby from 8:00 pm until midnight (0 Hrs).	14 WORK
3	Employee begins performing services at 8:00 am and is released from location at 12:00 p.m. Employee spends 1 hr traveling back to shop and spends 2 hours cleaning equipment before leaving for home at 3:00 pm.	Midnight until 8:00 am (0 Hrs) + Worked at site 8:00 am to 12 noon (4 hrs) and travel (1hr) and work at shop (2 hr).  Employee is not paid for commute time from the shop to his or her home.	7 WORK
Total Reportable Hours - 34 hrs WORK			

BH 00407

PLAINTIFF'S MOTION FOR  
CONDITIONAL CLASS CERTIFICATION

EXHIBIT 6

DEFENDANT'S OVERTIME HR POLICY 12/25/11



## HUMAN RESOURCES POLICY

### UNITED STATES Overtime

ORIGINAL ISSUE DATE: 1-October-2001  
REVISED DATE: 25-December-2011  
VERSION: 5

APPROVED BY: Dale Kunneman, Vice President HR, Western Hemisphere  
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#### PURPOSE

To define the guidelines for payment of overtime in the United States.

#### SCOPE

All Baker Hughes Non-Exempt and Hourly employees working in the United States.

Employees covered by a collective bargaining agreement are subject to the terms of that agreement. Where conflict exists between this policy and the collective bargaining agreement, the collective bargaining agreement will supersede this policy.

#### DEFINITIONS

- **Non-Exempt Employee:** employees who, because of the type of duties performed, the usual level of decision making authority, and the method of compensation, are subject to all Fair Labor Standards Act (FLSA) provisions including the payment of overtime. Non-exempt employees are required to report all hours worked.
- **Hourly Employee:** employees within the Non-Exempt Employee classification, and who are paid only for actual hours worked. For purposes of this policy, the term "Non-Exempt" applies both to employees classified as non-exempt as well as to employees classified as hourly.

#### POLICY

Baker Hughes Incorporated and its affiliates (collectively "the Company") abide by all federal and state regulations regarding payment of overtime. Any state regulations and bargaining unit agreement mandated rules take precedence over this policy.

**Employees are compensated for overtime in accordance with the following guidelines:**

Overtime pay is paid to Non-Exempt employees, at one and one-half times the employee's regular hourly rate (including shift differential, if applicable) for all hours worked in excess of 40 hours during the regular work week. The Company's standard scheduled work week starts 12:01 AM on Sunday and ends at 12:00 AM on Saturday.

Managers and supervisors are responsible for scheduling, monitoring, and approving overtime work. All overtime hours must be included on the employee's time sheet/card and the hours must be pre-approved by management prior to the hours being worked.

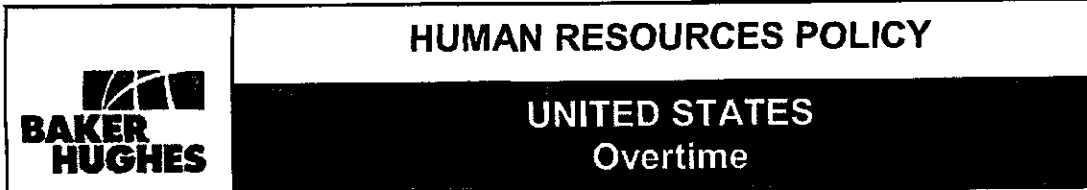
Non-Exempt employees may not be given compensatory time off in lieu of overtime pay in a future work week. All regular and overtime hours worked in a work week must be paid out in the current week.

**Hours to be counted toward the accumulation of overtime:**

Paid holidays, vacation time, jury duty, bereavement leave and time off due to occupational injury/illness count as hours worked for the purpose of overtime accumulation. Part-time employees are credited with the number

Ex 6-1

BH 00348



ORIGINAL ISSUE DATE: 1-October-2001  
REVISED DATE: 25-December-2011  
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of hours they would normally have worked if eligible for non-worked paid time when taking leaves as listed above.

Sick time, other than time due to occupational injury as noted above, does not count toward the accumulation of hours worked for overtime purposes.

#### **AUTHORIZATION**

Department managers are expected to use judgment in planning and scheduling work to avoid overtime. Consistent with the practical and efficient operation of the Company and the specific skill requirements of the work force, the Company endeavors to make as equitable a distribution of overtime as is practical among the employees within a department, commensurate with skills and ability.

#### **EXCEPTIONS**

Due to business requirements, US Supply Chain Production Employees (Direct labor Production employees only) as determined by Job Function in SAP will be eligible for Double-time pay. Double-time (two times the regular hourly rate, including shift differential if applicable) will be paid on hours worked in a work week over 56 (beginning with the 57th hour) regardless of the day of the week it is worked for this specific group.

In addition, in states that require double-time practices as per local law; the local/state regulation will be followed. Employees can contact their assigned HR Business Partner to determine whether they work in a state which requires double-time.

Sundays are not considered automatic double-time days.

Double-time pay practices may be reviewed and modified at any time based on the Company's business requirements, external economic and external market conditions.

Any exceptions to this policy require written approval from the appropriate HR Vice President. Exceptions shall be documented and retained by the Payroll Department in accordance with the Retention Policy.

#### **ADMINISTRATION**

All Non-Exempt employees should complete and sign timesheets reflecting actual time worked, both on and off work premises. Employees need to consider all time worked which may include time reading and answering emails, providing support or answering phone messages even when this work is completed through BlackBerry, home computer, Company laptop or any other means. The supervisor/manager must approve and sign the timesheet and is responsible for verifying the actual time worked.


#### **LAWS & REGULATIONS**

This policy is subject to the applicable local laws and regulations. To the extent that this policy conflicts with local laws or regulations, the policy shall, for application within the relevant jurisdiction, be deemed to be amended so as to comply with local laws and regulations.

Questions regarding conflict of laws and this policy should be addressed with the applicable HR Support.

Ex 6-2

BH 00349

	<b>HUMAN RESOURCES POLICY</b>
	<b>UNITED STATES</b> <b>Overtime</b>

ORIGINAL ISSUE DATE: 1-October-2001  
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**RELATED DOCUMENTS**

- Alternate Work Schedule Policy
- Employee Classification and Headcount Reporting Policy
- Holidays Policy
- Payroll Practices Policy
- Time Entry Policy
- Vacation Policy
- Time Sheet


Ex 6-3

BH 00350

**PLAINTIFF'S MOTION FOR  
CONDITIONAL CLASS CERTIFICATION**

**EXHIBIT 7**

**DEFENDANT'S OVERTIME HR POLICY 2/1/13**

 <b>BAKER HUGHES</b>	<b>HUMAN RESOURCES POLICY</b>
	<b>UNITED STATES Overtime</b>
ORIGINAL ISSUE DATE: 1-October-2001 REVISED DATE: 1-February-2013 VERSION: 7	APPROVED BY: Dale Kunneman, Vice President HR, Western Hemisphere Page 1 of 2

### PURPOSE

To define the guidelines for payment of overtime in the United States.

### SCOPE

All Baker Hughes Non-Exempt and Hourly employees working in the United States.

Employees covered by a collective bargaining agreement are subject to the terms of that agreement. Where conflict exists between this policy and the collective bargaining agreement, the collective bargaining agreement will supersede this policy.

### DEFINITIONS

- **Non-Exempt Employee:** employees who, because of the type of duties performed, the usual level of decision making authority, and the method of compensation, are subject to all Fair Labor Standards Act (FLSA) provisions including the payment of overtime. Non-exempt employees are required to report all hours worked.
- **Hourly Employee:** employees within the Non-Exempt Employee classification, and who are paid only for actual hours worked. For purposes of this policy, the term "Non-Exempt" applies both to employees classified as non-exempt as well as to employees classified as hourly.

### POLICY

Baker Hughes Incorporated and its affiliates (collectively "the Company") abide by all federal and state regulations regarding payment of overtime. Any state regulations and bargaining unit agreement mandated rules take precedence over this policy.

**Employees are compensated for overtime in accordance with the following guidelines:**

Overtime pay is paid to Non-Exempt employees, at one and one-half times the employee's regular hourly rate (including shift differential, if applicable) for all hours worked in excess of 40 hours during the regular work week. The Company's standard scheduled work week starts 12:01 AM on Sunday and ends at 12:00 AM on Saturday.

Managers and supervisors are responsible for scheduling, monitoring, and approving overtime work. All overtime hours must be included on the employee's time sheet/card and the hours must be pre-approved by management prior to the hours being worked.

Non-Exempt employees may not be given compensatory time off in lieu of overtime pay in a future work week. All regular and overtime hours worked in a work week must be paid out in the current week.


**Hours to be counted toward the accumulation of overtime:**

Paid holidays, vacation time, jury duty and bereavement leave count as hours worked for the purpose of overtime accumulation, except employees classified in SAP with a work schedule of Guaranteed 40 hours per week.

Ex 7-1

BH 00353



	<b>HUMAN RESOURCES POLICY</b>
	<b>UNITED STATES Overtime</b>
ORIGINAL ISSUE DATE: 1-October-2001 REVISED DATE: 1-February-2013 VERSION: 7	APPROVED BY: Dale Kunneman, Vice President HR, Western Hemisphere Page 2 of 2

Sick leave does not count toward overtime accumulation.

#### **AUTHORIZATION**

Department managers are expected to use judgment in planning and scheduling work to avoid overtime. Consistent with the practical and efficient operation of the Company and the specific skill requirements of the work force, the Company endeavors to make as equitable a distribution of overtime as is practical among the employees within a department, commensurate with skills and ability.

#### **EXCEPTIONS**

In those states that require double-time practices as per local law; the local/state regulation will be followed. Employees can contact their assigned HR Business Partner to determine whether they work in a state which requires double-time.

Any exceptions to this policy require written approval from the appropriate HR Vice President. Exceptions shall be documented and retained by the Payroll Department in accordance with the Retention Policy.

#### **ADMINISTRATION**

All Non-Exempt employees should complete and sign timesheets reflecting actual time worked, both on and off work premises. Employees need to consider all time worked which may include time reading and answering emails, providing support or answering phone messages even when this work is completed through BlackBerry, home computer, Company laptop or any other means. The supervisor/manager must approve and sign the timesheet and is responsible for verifying the actual time worked.

#### **LAWS & REGULATIONS**

This policy is subject to the applicable local laws and regulations. To the extent that this policy conflicts with local laws or regulations, the policy shall, for application within the relevant jurisdiction, be deemed to be amended so as to comply with local laws and regulations.

Questions regarding conflict of laws and this policy should be addressed with the applicable HR Business Partner.

#### **RELATED DOCUMENTS**

- Bereavement/Funeral Leave Policy
- Court Attendance and Civic Duty Policy
- Holiday Policy
- Payroll Practices Policy
- Sick Leave Policy
- Time Entry Policy
- Time Sheet
- Vacation Policy

7-2

BH 00354

